

# Notice of Allowability

Application No.

10/603,124

Examiner

Andrew Schechter

Applicant(s)

TILLIN ET AL.

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the filing of 20 June 2005.
2. ☒ The allowed claim(s) is/are 1-15, 17-21 and 23-34.
3. ☒ The drawings filed on 24 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark D. Saralino, Reg. No. 34,243, on 27 June 2005.

The application has been amended as follows:

#### In the Claims:

In the last line of claim 17, the phrase " $\Delta n.d/\lambda = 0.487$ " has been replaced with " $\Delta n.d/\lambda = 1.414$ ".

In claim 18, the phrase " $\theta = -\pm 22.5^\circ$ " has been replaced with " $\theta = \pm 45^\circ$ ".

In claim 19, the phrase " $\theta = -\pm 12.5^\circ$ " has been replaced with " $42.5^\circ \leq |\theta| \leq 45^\circ$  or  $132.5^\circ \leq |\theta| \leq 135^\circ$ ".

In the last line of claim 20, the phrase " $\Delta n.d/\lambda = 0.55$ " has been replaced with " $\Delta n.d/\lambda = 0.105$ ".

In claim 21, the phrase " $\theta = -\pm 17.5^\circ$ " has been replaced with " $\theta = \pm 44^\circ$ ".

**End of examiner's amendment.**

***Allowable Subject Matter***

2. Claims 1-15, 17-21, and 23-34 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The prior art does not disclose the device of claim 1, in particular the additional limitation (amended from the previous claim 22) that the polarization rotator has the particular range of values  $175^\circ \leq |\gamma| \leq 180^\circ$ . Claim 1 is therefore allowed, as are claims 2-15, 23, and 24, which depend on it.

Similarly, the prior art does not disclose the device of claims 17-21, 33, and 34, in particular the additional limitation that the polarization rotator has the particular range of values  $175^\circ \leq |\gamma| \leq 180^\circ$ . Claims 17-21, 33, and 34 are therefore allowed.

The prior art does not disclose the device of claim 25, in particular a parallax barrier comprising the polarization rotator recited in the original claim 1. The nearest prior art, *Morishina*, was discussed in the Office Action of 5 October 2004. Claim 25 is therefore allowed, as are its dependent claims 26-32.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Schechter whose telephone number is (571) 272-2302. The examiner can normally be reached on Monday - Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Andrew Schechter  
Primary Examiner  
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1 July 2005